

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ALBANY GEORGIA**

JOHN HENRY WILLIAMS,

Plaintiff

v.

KEVIN ROBERTS, WARDEN,

Defendant

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1:05-CV-136 (WLS)

**ORDER**

Before the Court is a Report and Recommendation from United States Magistrate Judge Richard L. Hodge filed on May 31, 2006. (Doc. 22). It is recommended that Defendant's Motion to Dismiss (Doc. 14) be granted and that Plaintiff's Motion to Remand (Doc. 21) be denied. (Doc. 22). No objection has been filed.

Upon full review and consideration upon the record, the Court finds that the Report and Recommendation (Doc. 22) should be, and hereby is, **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, Defendant's Motion to Dismiss (Doc. 14) is **GRANTED** and Plaintiff's Motion to Remand (Doc. 22) is **DENIED**.

**SO ORDERED**, this 26<sup>th</sup> day of June, 2006.

/s/W. Louis Sands  
**W. LOUIS SANDS, CHIEF JUDGE**  
**UNITED STATES DISTRICT COURT**